

1 BARRY J. PORTMAN
Federal Public Defender
2 JODI LINKER
Assistant Federal Public Defender
3 19th Floor Federal Building
450 Golden Gate Avenue
4 San Francisco, CA 94102
Telephone: (415) 436-7700
5
Counsel for Defendant HERRERA-JIMENEZ
6

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,)	No. CR-09-0025 MMC
)	
11 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE STATUS
12 v.)	CONFERENCE
)	
13 NAHUN HERRERA-JIMENEZ,)	
)	
14 Defendant.)	
_____)	

15
16 At the arraignment on the above-captioned case, the Magistrate Court scheduled the
17 initial status conference before this Court for Friday, January 16, 2009 at 2:00 pm. Defense
18 counsel, however, is not available on that date. The Magistrate Court advised the parties to
19 nonetheless set it for that date because it was the next available date for this Court and then
20 request a continuance. Therefore, the parties jointly request that the initial status conference in
21 this case be continued to January 23, 2009 at 2:00 pm.

22 Further, the parties stipulate and jointly request that time be excluded from the Speedy
23 Trial Act calculations from January 9, 2009 through January 23, 2009 for effective preparation
24 and continuity of counsel. The parties agree that the ends of justice served by granting such a
25 continuance outweighed the best interests of the public and the defendant in a speedy trial. *See*
26 18 U.S.C. § 3161(h)(8)(A).

SPEEDY TRIAL ACT IMPLICATIONS

Pursuant to 18 U.S.C. § 3161, and Crim. Loc. Rule 47-2(c), there are seventy (70) days remaining before the trial in this case must commence. Taking the stipulated time exclusion from January 9, 2009 through January 23, 2009 into account, the “speedy trial” date for this matter is April 3, 2009.

IT IS SO STIPULATED.

January 13, 2009
DATED


/s/
MATTHEW L. McCARTHY
Assistant United States Attorney

January 13, 2009
DATED

/s/
JODI LINKER
Assistant Federal Public Defender

IT IS SO ORDERED.

January 14, 2009
DATED


MAXINE M. CHESNEY
United States District Judge